

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5938 of 1991

For Approval and Signature:

Hon'ble MR.JUSTICE J.N.BHATT

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge? : NO

JAVANJI JUHAJI THAKOR

Versus

STATE OF GUJARAT

Appearance:

MR MAYANK VORA for Petitioner

RULE SERVED for Respondent No. 1, 2, 3, 4

CORAM : MR.JUSTICE J.N.BHATT

Date of decision: 08/07/1999

ORAL JUDGEMENT

By this petition, the petitioner has sought pensionary benefits basing his claim, inter alia, on the Government Resolutions No.WCE-1588/(5)/(3)/G-2 dated 17.10.88 and No.FAS/5575/(45)/G dated 6th July, 1990.

Though service of rule is effected, none has appeared for the respondents. It is the case of the petitioner that despite the representation made by the petitioner, the

Government has not taken any action nor it has replied. The application for pensionary benefits made to the Executive Engineer, by the petitioner on 14.12.90 is placed as at Annexure C. In absence of any affidavit in reply, it will be expedient to direct the respondent No.3 to consider and decide the application within a reasonable period on merits in accordance with rules.

In the circumstances, respondent No.3, Executive Engineer, Capital Project, Section (3), Gandhinagar, is directed to consider and decide the claim made in the application dated 14th December, 1990 as at Annexure 'C', a copy whereof is also directed to be sent along with the writ to him, with a further direction to decide the same within a period of eight weeks.

With the aforesaid directions, this petition stands disposed of, at present. Rule is discharged.

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(vjn)